

**REMARKS**

The Applicant traverses all of the objections and rejections of the Office Action. Applicant appreciates the Examiner's review of the above-identified patent application and respectfully requests reconsideration and allowance in view of the above amendments and following remarks.

I. Response to Claim Rejections Based on Anticipation and Obviousness

A. Claim 1

Applicant's claims 1, 6, 9, 11, 12, 15, 18, 20, and 25 recite the ability to control operation of multiple devices. The references cited in the prior Office Actions do not disclose an apparatus or method of a remote device controlling multiple devices by provide instruction for their operation from the remote location. Therefore, the rejection of claims 1, 6, 9, 11, 12, 15, 18, 20, and 25 should be withdrawn and claims 1, 6, 9, 11, 12, 15, 18, 20, and 25 allowed.

Applicant invention allows for settings configured on each of multiple devices to be incorporated into remote configurations due to it controlling operations of the device and not just

controlling a single server or PBX for routing office communications.

Staples discloses controlling operation of, the virtual presence server 106, a single device. Staples discloses controlling switching of communications directed to multiple devices but does not actually control operation of each device itself. Applicant's claimed invention controls the operation of each device located at the user's Office and provides communication for instructions to and from the devices. This allows setting of each device to be used at the remote location. Staples requires the setting to be within a profile of the virtual presence server 106. Staples does not control the device but controls switching of communications to and from the device thus not providing the ability for settings of a device to be utilized by the remote user.

Beaton does not disclose controlling operation of devices. Beaton allows for the telecommunication device to communicate with other devices. This has little to do with controlling the other device. A standard telephone can communicate with multiple telephones and fax machines by dialing different numbers but it does not control the operation of the other telephones or fax

machines. Beaton does not relate to the field of Applicant's invention. Beaton's disclosing the communicating with various device would not suggest to an individual skilled in the art at the time of the invention that the telephone of Beaton would be used to control other devices. Beaton provides no disclosure, teaching or suggestion of how the telephone would communicate with the other device in order to control the operation of the other device. The combination of Beaton with Staples also does not provide the necessary disclosure, teaching, or suggestion. Even if one were to agree with combining the teaching of Staples with Beaton, the combination would suggest the ability to route faxes and telephone calls not controlling the other device. Therefore, the rejection of claims 1, 6, 9, 11, 12, 15, 18, 20, and 25 should be withdrawn and claims 1, 6, 9, 11, 12, 15, 18, 20, and 25 allowed.

Applicant's claims 6, 9, 11, 12, 15, 18, 20, and 25 recite similar limitations as previously discussed with regard to claim 1. The references cited in the prior Office Action do not disclose accepting an instruction as to the treatment of the incoming communication. Therefore, the rejection of claims 6, 9, 11, 12, 15, 18, 20, and 25 should be withdrawn and claims 6, 9,

11, 12, 15, 18, 20, and 25 allowed.

B. Claim 9

Independent claim 9 reads:

A method for allowing a user having a portable communications device at a first location to conduct business by using telephone facilities available at a second location, comprising the steps of:  
accepting an incoming communication on a communications link from the second location;

accepting an identity for a calling party who has placed an incoming communication to the user, the incoming communication being to a telephone number for the user at the second location;

presenting the identity for the calling party to the user;

accepting an instruction to control operation a device of the telephone facilities **from the user as to the treatment of the incoming communication;**

**sending the instruction to the second location;**

handling the incoming communication in accordance with the instruction; and

monitoring for additional instructions to control operation of another devices of the telephone facilities from the user wherein the first location is a remote location of the user and the second location is a main location of the user.

**(Emphasis Added)**

In addition, the Applicant respectfully submits that both Staples and Beaton fail to disclose, teach, or suggest all elements of the rejected claim 9 for at least the reasons that follow. Specifically, Staples and Beaton fail to disclose the above-emphasized elements of claim 9. Staples does not disclose accepting an instruction to control operation of a device of the

telephone facilities ***from the user as to the treatment of the incoming communication.*** Specifically, Staples does not disclose treatment of the incoming communication. The Office Action cites to Staples disclosure of (FIG. 19, the User Telephony Communications Device Performs A Call Forwarding Operation To Call Forward Telephone Calls Made To The Second Number Step 722 ref. By col. 28 lines 9-35); however, this does not disclose accepting instructions from the user as to the treatment of the incoming communication. Providing instruction as the treatment of telephone calls in general does not disclose the invention claimed by the Applicant. The claim language of claim 9 specifically recites accepting an incoming communication and accepting an instruction as to the treatment of the incoming communication. The claim language requires instructions for the incoming communication not an incoming communications in general. Applicant respectfully requests reconsideration and withdrawal of the 103 rejections based on Staples and Beaton.

Applicant's claims 6, 9, 15, 18, and 20 recite similar limitations as previously discussed with regard to claim 9. The references cited in the prior Office Action do not disclose accepting an instruction as to the treatment of the incoming

communication. Therefore, the rejection of claims 6, 9, 15, 18, and 20 should be withdrawn and claims 6, 9, 15, 18, and 20 allowed.

The Applicant respectfully submits that since claims 2-5, 7-8, 10, 13-14, 16-17, 19, 21, 23-24, and 26 depend on independent claims 1, 6, 9, 11, 12, 15, 18, 20, and 25, respectively; claims 2-5, 7-8, 10, 13-14, 16-17, 19, 21, 23-24, and 26 contain all limitations of independent claims 1, 6, 9, 11, 12, 15, 18, 20, and 25, respectively. Since independent claims 1, 6, 9, 11, 12, 15, 18, 20, and 25 should be allowed, as argued herein, pending dependent claims 2-5, 7-8, 10, 13-14, 16-17, 19, 21, 23-24, and 26 should be allowed as a matter of law for at least this reason. In re Fine, 5 U.S.P.Q.2d 1596, 1608 (Fed. Cir. 1988).

#### CONCLUSION

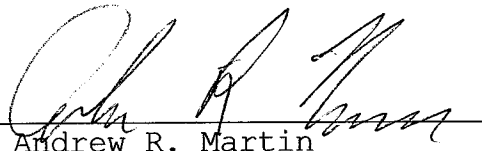
In light of the foregoing amendments and for at least the reasons set forth above, Applicant respectfully submits that all objections and rejections have been traversed, rendered moot and/or accommodated, and that presently pending claims 1-21 and 23-26 are in condition for allowance. Favorable reconsideration and allowance of the present application and the presently pending

In re: Aleksander Szlam  
Filed: January 29, 2002  
Serial No.: 10/059,872  
Page 19

claims are hereby courteously requested. The examiner is invited to telephone the undersigned, Applicant's attorney of record, to facilitate advancement of the present application.

Respectfully submitted,

Aleksander Szlam

By   
Andrew R. Martin  
Registration No. 45,413  
Attorney for Applicant(s)

BOURQUE & ASSOCIATES, P.A.  
835 Hanover Street, Suite 301  
Manchester, New Hampshire 03104

Telephone: (603) 623-5111  
Facsimile: (603) 624-1432

Date: 12/22/00